

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

SHOLOM GOLDSTEIN, et al.

Plaintiff,

- v -

ARAB BANK, PLC,

Defendant.

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1:16-CV-01681 (ILG)(RML)

**DECLARATION OF DOUGLAS W. MATEYASCHUK, ESQ. IN SUPPORT OF
DEFENDANT ARAB BANK'S MOTION TO DISMISS PLAINTIFFS' COMPLAINT
PURSUANT TO FED. R. CIV. P. 12(B)(2), FED. R. CIV. P. 12(B)(6),
AND THE DOCTRINE OF LACHES**

Douglas W. Mateyaschuk, Esq., declares as follows:

1. I am a member of the Bars of the State of New York and of this Court and of the law firm DLA Piper LLP (US), attorneys for defendant Arab Bank plc ("Arab Bank") in the above-captioned action. I make this declaration in support of Arab Bank's motion to dismiss Plaintiffs' Complaint pursuant to Fed. R. Civ. P. 12(b)(2), Fed. R. Civ. P. 12(b)(6), and the doctrine of laches.

2. Attached as Exhibit 1 is a true and correct copy of the Complaint filed in the above-captioned action on April 6, 2016 (ECF No. 1).

3. Attached as Exhibit 2 is a true and correct copy of the "Brief for the United States as Amicus Curiae" filed in *Arab Bank, PLC v. Courtney Linde, et al.*, No. 12-1485 (U.S.) on May 23, 2014.

4. Attached as Exhibit 3 is a true and correct copy of the "Motion for Leave to File Brief and Brief of Amicus Curiae the Hashemite Kingdom of Jordan in Support of Petitioner" filed in *Arab Bank, PLC v. Courtney Linde, et al.*, No. 12-1485 (U.S.) on July 24, 2013.

5. Attached as Exhibit 4 is a true and correct copy of the sentence of Defendant Majid Barakat Abd al-Ghafar Za'atari, issued by the Military Court of Israel on May 9, 2005, which was admitted into evidence as plaintiffs' exhibit 3944 in the trial conducted in *Linde v. Arab Bank, PLC*, 1:04-CV-02799 (BMC) (PK) (E.D.N.Y. filed July 2, 2004).

6. Attached as Exhibit 5 is a true and correct copy of the sentence of Defendant Abdallah Adnan Yahya Sharbati, issued by the Military Court of Israel on June 14, 2005, which was admitted into evidence as plaintiffs' exhibit 3946 in the trial conducted in *Linde v. Arab Bank, PLC*, 1:04-CV-02799 (BMC) (PK) (E.D.N.Y. filed July 2, 2004).

7. Attached as Exhibit 6 is a true and correct copy of the sentence of Defendant Nassim Rashed Abd al-Wudud Za'atari, issued by the Military Court of Israel on July 11, 2005, which was admitted into evidence as plaintiffs' exhibit 3947 in the trial conducted in *Linde v. Arab Bank, PLC*, 1:04-CV-02799 (BMC) (PK) (E.D.N.Y. filed July 2, 2004).

8. Attached as Exhibit 7 is a true and correct copy of the certified English translation of the transcript of the "Will of Martyr Raed Abd al-Hamid Misk, Executor of the Jerusalem-Chai Bar-Lev St. Operation on 8/19/2003," which was admitted into evidence as plaintiffs' exhibit 3912 in the trial conducted in *Linde v. Arab Bank, PLC*, 1:04-CV-02799 (BMC) (PK) (E.D.N.Y. filed July 2, 2004).

9. Attached as Exhibit 8 is a true and correct copy of the certified English translation of a cancelled funds transfer originated by the "Saudi Committee in Support of Al Quds Intifada" (the "Saudi Committee") for the benefit of "Raed Abdel Hamid Abdel Razzaq Misk," in the amount of \$132.97 and dated January 13, 2004, which was produced by Arab Bank and subsequently disclosed in pre- and post-trial proceedings in *Linde v. Arab Bank, PLC*, 1:04-CV-02799 (BMC) (PK) (E.D.N.Y. filed July 2, 2004).

10. Attached as Exhibit 9 is a true and correct copy of the certified English translation of a funds transfer originated by the Saudi Committee for the benefit of “Bassel Muhammad Shafiq Al Qawasmi,” in the amount of \$2655.78 and dated December 21, 2000, which was admitted into evidence as plaintiffs’ exhibit 685 in the trial conducted in *Linde v. Arab Bank, PLC*, 1:04-CV-02799 (BMC) (PK) (E.D.N.Y. filed July 2, 2004).

I declare under penalty of perjury that the foregoing is true and correct.

April 16, 2018
New York, N.Y.

/s/ Douglas W. Mateyaschuk
Douglas W. Mateyaschuk II